

*Louis Charles Shapiro, P.A.*

*1063 East Landis Avenue  
Vineland, New Jersey 08360  
Telephone (856) 691-6800; Facsimile (856) 794-3326*

**LOUIS CHARLES SHAPIRO**  
CERTIFIED CRIMINAL TRIAL ATTORNEY  
LL.M. IN TRIAL ADVOCACY  
MEMBER OF NJ AND PA BARS

Email: [shapl@prodigy.net](mailto:shapl@prodigy.net)  
Website: [www.louischarlessapiro.com](http://www.louischarlessapiro.com)

**SAMUEL L. SHAPIRO**  
ATTORNEY AT LAW  
COUNSELOR AT LAW  
1940 (ADMITTED TO NJ BAR) - 1996

November 5, 2021

**BY ELECTRONIC FILING (ECF)**

Hon. Ann Marie Donio, U.S.M.J.  
United States District Court for the District of New Jersey  
Mitchell H. Cohen U.S. Courthouse, Room 2010  
1 John F. Gerry Plaza, 4<sup>th</sup> & Cooper Streets  
Camden, New Jersey 08101

Re: Audra Capps, et al. v. Joseph Dixon, et al.  
Case No.: 1:19-cv-12002-RMB-AMD

Tanika Joyce, et al v. Joseph Dixon, et al.  
Case No.: 1:20-cv-01118– RMB-AMD

Barry Cottman v. Joseph Dixon, et al.  
Case No.: 1:19-cv-14122–NLH-AMD

Dear Judge Donio:

I represent Plaintiffs in the Capps and Joyce cases. I write to request that the Court provide the parties with an extension of the November 30, 2021 fact discovery deadline, so that the parties can continue to conduct discovery and – more specifically – take depositions in the month of December. For now, Plaintiffs will reserve on the issue of seeking more than the ten (10) depositions permitted by the Federal Rules of Civil Procedure. As of this writing, two of the four Plaintiffs in the above cases have had their depositions taken. Two more Plaintiffs’ depositions are scheduled for next week, and multiple additional depositions of various Defendants and witnesses are scheduled to occur throughout the month of November.

On October 23, 2021, I sent a letter enclosing deposition notices to Defendants. Pertinent here, enclosed along with that letter are copies of the deposition notices for Detective Brian Starcher, a Millville internal affairs officer, for November 17, 2021, and Chief of Police Jody Farabella for

November 30, 2021. Following our most recent telephone conference with Your Honor, I sent a follow-up letter on November 1, 2021 narrowing down the 14 deposition notices to 10, and rearranging some of the dates. A copy of that letter is also attached.

Eleven days after I originally noticed the depositions of, among other witnesses, Starcher and Farabella, I received the attached November 3, 2021 letter from the Millville Defendants. That letter advised that Chief Farabella was not available on November 30th, and proposed additional dates in December for his deposition. I have no problem taking Chief Farabella's deposition in December.

However, in that same November 3<sup>rd</sup> letter, the Millville Defendants advised that "... we do not have any contact information for Detective Brian Starcher. You may need to find other means to have him served." Again, the Starcher deposition was scheduled for November 17, 2021. With respect, I have some difficulty accepting that the Millville Defendants have no way of knowing how to contact Detective Starcher, an internal affairs detective who, upon information and belief, served 25 years with the Millville Police Department and presumably retired within the last few years. (It is also worth mentioning that in or about 2016 that same Detective Starcher, for whom Defendants say they have no contact information, filed a lawsuit against the City of Millville, in Superior Court, under docket number CUM-L-546-16.)

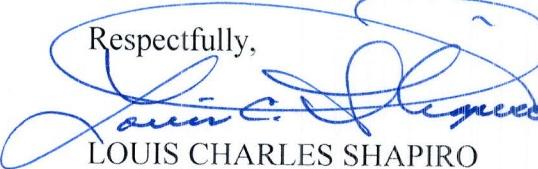
I cannot say exactly what efforts the Millville Defendants made to locate contact information for Detective Starcher. But if it is truly the case that Detective Starcher left no forwarding address, no phone number, and no email address with his former employer, then I will have to make my own separate efforts to locate him, potentially incur some expense, and serve him with a deposition subpoena with sufficient advance notice before he can be deposed. That will take some time to accomplish, particularly if it turns out that he is out of state.

I recently had to deal with a similar situation in state court, in the case of Melik Banks v. Caesars Atlantic City Hotel and Casino, et al., Docket No. ATL-L1096-18, before the Hon. Joseph L. Marczyk, P.J. Civ. In that case, a large corporate defendant refused to provide anything but a former employee's last known address for purposes of my attempting to serve him with a deposition subpoena. I have produced some documents to give the Court a sense of the procedural hurdles and delay that can be created when a defendant in a civil case does not produce or does not reasonably identify a former employee. After filing a motion in the Banks case to take the witness' out-of-state deposition, and to serve him at his last-known address in Pennsylvania, Judge Marczyk issued a commission, which I could present to a Pennsylvania court. I then had to file a motion in the Philadelphia Court of Common Pleas for an order to subpoena the witness in Pennsylvania. After the issuance of the Pennsylvania order, the witness could not be located at the last known address by the process server. Finally, after further motion practice, Judge Marczyk compelled that large corporate defendant to provide me with the former employee's date of birth and Social Security number. Once I had that information, I had to hire an investigator to locate this individual, and he was promptly served at an address in Camden County and his deposition was later taken. All along, the witness was located in the State of New Jersey. This is an absurd example of what can happen. As such, if the Court does not order the Millville Defendants to make more of an effort to produce Detective Starcher, they should be ordered to produce to me on a confidential basis his date of birth and Social Security number so that I can go to my own expense to locate and serve him. But that

will take some time to accomplish.

Finally, and with respect to the scheduled depositions of Defendants' witnesses, I may need to check on whether I have the right Detective Loteck noticed. Apparently, there are (or were) two officers with that last name in the Millville Police Department. If I have noticed the wrong Loteck, or somehow need both of them, I may need to issue an additional deposition notice for such purpose.<sup>1</sup> For all of these reasons, Plaintiffs request an extension of the fact discovery deadline.

I thank the Court for its time and attention to this case.

Respectfully,  
  
LOUIS CHARLES SHAPIRO

Enclosures

cc: A. Michael Barker, Esquire (By ECF)  
Thomas Reynolds, Esquire (By ECF)  
Justin T. Loughry, Esquire (By email)  
Ms. Audra Capps and Mr. Douglas Robert Gibson, Jr.  
Ms. Tanika Joyce  
(All w/encl.)

---

<sup>1</sup> I would also note to the Court and to counsel, and for purposes of scheduling, I will be away on a prepaid vacation from December 23, 2021 through and including January 3, 2022.

*Louis Charles Shapiro, P.A.*

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**SAMUEL L. SHAPIRO**  
ATTORNEY AT LAW  
COUNSELOR AT LAW  
1940 (ADMITTED TO NJ BAR) - 1996

October 23, 2021

**VIA ELECTRONIC MAIL**

A. Michael Barker, Esquire  
Barker, Gelfand, James & Sarvas, P.C.  
210 New Road, Suite 12  
Linwood, New Jersey 08221

**VIA ELECTRONIC MAIL**

Thomas B. Reynolds, Esquire  
Reynolds & Horn, PC  
116 South Raleigh Avenue, Suite 9B  
Atlantic City, New Jersey 08401

Re: Audra Capps, et al. v. Joseph Dixon, et al.  
Civil Action No.: 1:19-cv-12002-RMB-AMD

Barry Cottman v. Jody Farabella, et al.  
Civil Action No.: 1:19-cv-14122-NLH-AMD

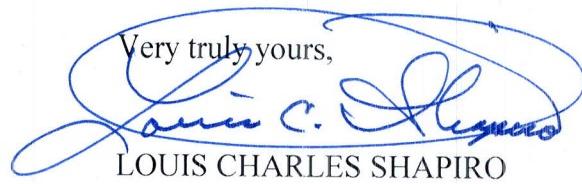
Tanika Joyce v. Joseph Dixon, et al.  
Civil Action No.: 1:20-cv-01118-RMB-AMD

Dear Counselors:

Attached please find the enclosed Notices for Oral Deposition of the following parties and witnesses: (1) Sgt. Cindi Zadroga; (2) Officer Antonio Delfinado; (3) Officer Albert Chard, Jr.; (4) Lt. Carl Heger; (5) Sgt. Daniel Ayars; (6) Lt. Kevin McLaughlin; (7) Commissioner Joseph Pepitone; (8) Sgt. John Redden; (9) Det. Brian Starcher; (10) Det. Anthony Loteck; (11) Lt. Michael Colon; (12) Officer Bryan Orndorf; (13) Joseph Dixon; and (14) Chief Jody Farabella.

The locations for these depositions, of course, can be flexible depending upon the convenience of counsel and the various witnesses. In scheduling these depositions, I have taken account of Mr. Barker's scheduled days of unavailability because it is his firm which will be producing most of these individuals for depositions. Additionally, please be advised that whether certain of these depositions go forward, and whether more time will need to be sought to take them, is dependent on the production of documents and the finalization and resolution of the previous discovery issues.

If you have any questions, please do not hesitate to contact me.

Very truly yours,  
  
LOUIS CHARLES SHAPIRO

Enclosures

cc: Justin T. Loughry, Esquire (By email; w/encl.)  
Wyble Reporting, Inc. (By email; w/encl.)

Plaintiff,	:	UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY CAMDEN VICINAGE
vs.	:	CIVIL ACTION
JOSEPH DIXON; THE CITY OF MILLVILLE; CHIEF OF POLICE JODY FARABELLA; LT. MICHAEL COLON; SGT. LAWRENCE MULFORD; SGT. ROSS HOFFMAN; SGT. HAROLD DUFFIELD, JR.; LT. EDWARD ZADROGA; LT. KEVIN McLAUGHLIN; SGT. CINDI ZADROGA; SGT. JOHN REDDEN, III; LT. CARL HEGER; SGT. DAN AYARS; JOHN/JANE DOE(S) I; JOHN/JANE DOE(S) II; JOHN/JANE DOE(S) III; and JOHN/JANE DOE(S) IV,	:	Civil Action No.: 1:20-cv-01118-RMB-AMD
Defendants.	:	<b>NOTICE FOR ORAL DEPOSITION</b>
	:	

PLEASE TAKE NOTICE that Plaintiffs shall take the deposition, before a certified shorthand reporter to be supplied by the undersigned, as follows:

**PERSON TO BE DEPOSED:** Det. Brian Starcher

**TO BE PRODUCED BY:** A. Michael Barker, Esquire

**DATE AND TIME:** Wednesday, November 17, 2021 at 10:00 a.m.

**TO BE HELD AT:** A. Michael Barker, Esquire  
Barker, Gelfand, James & Sarvas, P.C.  
210 New Road, Suite 12  
Linwood, New Jersey 08221

**COURT REPORTER:** Wyble Reporting, Inc.  
500 Fernwood Road  
Millville, NJ 08332

Respectfully submitted,

**LOUIS CHARLES SHAPIRO, P.A.**

By:

Louis Charles Shapiro, Esquire

Attorney for Plaintiffs, Audra S. Capps,  
Douglas Robert Gibson, Jr., and Tanika  
Joyce

DATED: October 23, 2021

Plaintiff,	:	UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY CAMDEN VICINAGE
vs.	:	CIVIL ACTION
JOSEPH DIXON; THE CITY OF MILLVILLE; CHIEF OF POLICE JODY FARABELLA; LT. MICHAEL COLON; SGT. LAWRENCE MULFORD; SGT. ROSS HOFFMAN; SGT. HAROLD DUFFIELD, JR.; LT. EDWARD ZADROGA; LT. KEVIN McLAUGHLIN; SGT. CINDI ZADROGA; SGT. JOHN REDDEN, III; LT. CARL HEGER; SGT. DAN AYARS; JOHN/JANE DOE(S) I; JOHN/JANE DOE(S) II; JOHN/JANE DOE(S) III; and JOHN/JANE DOE(S) IV,	:	Civil Action No.: 1:20-cv-01118-RMB-AMD
Defendants.	:	<b>NOTICE FOR ORAL DEPOSITION</b>
	:	

PLEASE TAKE NOTICE that Plaintiffs shall take the deposition, before a certified shorthand reporter to be supplied by the undersigned, as follows:

**PERSON TO BE DEPOSED:** Chief Jody Farabella

**TO BE PRODUCED BY:** A. Michael Barker, Esquire

**DATE AND TIME:** Tuesday, November 30, 2021 at 10:00 a.m.

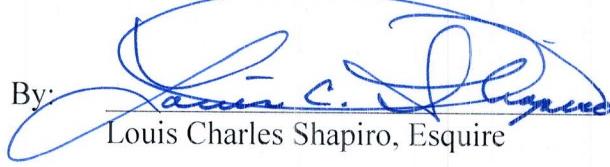
**TO BE HELD AT:** A. Michael Barker, Esquire  
Barker, Gelfand, James & Sarvas, P.C.  
210 New Road, Suite 12  
Linwood, New Jersey 08221

**COURT REPORTER:** Wyble Reporting, Inc.  
500 Fernwood Road  
Millville, NJ 08332

Respectfully submitted,

**LOUIS CHARLES SHAPIRO, P.A.**

By:



Louis Charles Shapiro, Esquire

Attorney for Plaintiffs, Audra S. Capps,  
Douglas Robert Gibson, Jr., and Tanika  
Joyce

DATED: October 23, 2021

*Louis Charles Shapiro, P.A.*

*1063 East Landis Avenue  
Vineland, New Jersey 08360  
Telephone (856) 691-6800; Facsimile (856) 794-3326*

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Website: [www.louischarlessapiro.com](http://www.louischarlessapiro.com)

**SAMUEL L. SHAPIRO**  
ATTORNEY AT LAW  
COUNSELOR AT LAW  
1940 (ADMITTED TO NJ BAR) - 1996

November 1, 2021

**VIA ELECTRONIC MAIL**

A. Michael Barker, Esquire  
Barker, Gelfand, James & Sarvas, P.C.  
210 New Road, Suite 12  
Linwood, New Jersey 08221

**VIA ELECTRONIC MAIL**

Thomas B. Reynolds, Esquire  
Reynolds & Horn, PC  
116 South Raleigh Avenue, Suite 9B  
Atlantic City, New Jersey 08401

Re: Audra Capps, et al. v. Joseph Dixon, et al.  
Civil Action No.: 1:19-cv-12002-RMB-AMD

Barry Cottman v. Jody Farabella, et al.  
Civil Action No.: 1:19-cv-14122-NLH-AMD

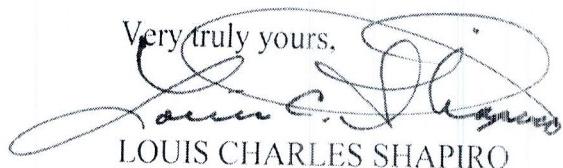
Tanika Joyce v. Joseph Dixon, et al.  
Civil Action No.: 1:20-cv-01118-RMB-AMD

Dear Counselors:

To follow up and modify my previous letter of October 23, 2021, and in light of Judge Donio's ruling that I am limited to ten depositions unless I make further application, I write to advise of the following. For now, and without prejudice, the Zadroga and Delfinado depositions scheduled for November 5, 2021 shall be put off. The Heger deposition for November 10, 2021 shall be put off. The Colon deposition for November 19, 2021 shall be put off, and in that time slot of 9:30 a.m., will be replaced by the Pepitone deposition (moved from November 11, 2021). Additionally, the Ayars deposition, which is currently scheduled for 2 p.m. on November 10, 2021, would be moved up to 10:00 a.m. instead on that day.

If you have any questions, please do not hesitate to contact me.

Very truly yours,



LOUIS CHARLES SHAPIRO

cc: Justin T. Loughry, Esquire (By email)  
Wyble Reporting, Inc. (By email)

# BARKER, GELFAND, JAMES & SARVAS

ATTORNEYS AT LAW  
A PROFESSIONAL CORPORATION

**Atlantic County Office:**  
210 New Road  
Linwood Greene – Suite 12  
Linwood, New Jersey 08221  
(609) 601-8677  
(609) 601-8577 – Telefax

A. MICHAEL BARKER \*  
TODD J. GELFAND \*\*  
VANESSA E. JAMES \*\*  
JEFFREY P. SARVAS  
  
GREG DILLORENZO  
ADAM BARKER

**Burlington County Office:**  
1 Eves Drive, Suite 111  
Marlton, New Jersey 08053  
(609) 601-8677  
(609) 601-8577 – Telefax  
E-Mail: [TGelfand@BarkerLawFirm.net](mailto:TGelfand@BarkerLawFirm.net)  
*By Appointment Only*

\*CERTIFIED BY THE SUPREME COURT OF  
NEW JERSEY AS A CIVIL TRIAL ATTORNEY  
\*\* LICENSED TO PRACTICE IN PENNSYLVANIA

Website: [www.barkerlawfirm.net](http://www.barkerlawfirm.net)  
e-mail: [AMBarker@BarkerLawFirm.net](mailto:AMBarker@BarkerLawFirm.net)

**Gloucester County Office:**  
91 Circle Avenue  
Pitman, New Jersey 08071  
(856) 244-1854  
Email: [VJames@BarkerLawFirm.net](mailto:VJames@BarkerLawFirm.net)  
*By Appointment Only*

PLEASE REPLY TO  
**ATLANTIC COUNTY OFFICE**

November 3, 2021

shap1@prodigy.net  
Louis Charles Shapiro, Esquire  
1063 E. Landis Avenue  
Vineland, New Jersey 08360

Re:           Audra Capps v. City of Millville, et al.  
                Civil Action Number: 1:19-cv-12002-RMB-AMD

Tanika Joyce v. City of Millville, et. al.  
Civil Action Number: 1:20-cv-01118-RMB-AMD

Barry Cottman v. City of Millville, et. al.  
Civil Action Number: 1:19-cv-14122-NLH-AMD

Dear Mr. Shapiro:

We are in receipt of your letter dated November 1, 2021, regarding canceling and changing certain depositions, which we are fine with. However, please be advised that Chief Farabella is not available for his deposition on November 30, 2021. He is available December 14<sup>th</sup>, December 15<sup>th</sup> and December 21<sup>st</sup>, 2021. Please advise if you are available on any of those days.

Also, we do not have any contact information for Detective Brian Starcher. You may need to find other means to have him served.

Page 2

November 3, 2021

Louis Shapiro, Esquire

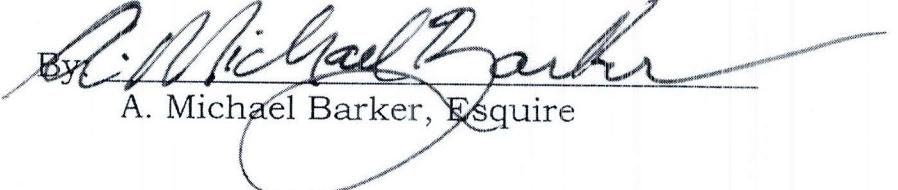
Re:           Audra Capps v. City of Millville, et al.  
               Tanika Joyce v. City of Millville, et. al.  
               Barry Cottman v. City of Millville, et. al.

Thank you for your attention to this matter.

Very truly yours,

**BARKER, GELFAND, JAMES & SARVAS  
a Professional Corporation**

AMB

By   
A. Michael Barker, Esquire

Cc: Thomas Reynolds, Esquire  
TREYNOLDS\_RHLAW@comcast.net

Justin Loughry, Esquire  
jtloughry@loughryandlindsay.com

PREPARED BY THE COURT

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MELIK BANKS,	:	SUPERIOR COURT OF NEW JERSEY
Plaintiff,	:	LAW DIVISION – ATLANTIC COUNTY
v.	:	
CAESARS ATLANTIC CITY HOTEL	:	
AND CASINO; ABC CORPORATIONS	:	Docket No.: ATL-L-1096-18
1-20; and JOHN/JANE DOES 1-20	:	
individuals,	:	
Defendants.	:	CIVIL ACTION
	:	COMMISSION FOR OUT OF STATE
	:	DISCOVERY PURSUANT TO
	:	R. 4:11-5
	:	

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TO: The Appropriate Judicial Authority in the Commonwealth of Pennsylvania

On application, pursuant to R. 4:11-5 of the *Rules Governing Civil Practice* in the State of New Jersey and this Court finding the individual or entity identified below may possess information that is material to the within action and should proceed, and the individual or entity is outside the jurisdiction of this Court, and requiring subpoenas *ad testificandum* and/or subpoenas *duces tecum* from the appropriate judicial authority in the Commonwealth of Pennsylvania, to obtain that discovery, the Superior Court of New Jersey, Law Division, Atlantic County, by the undersigned Judge, hereby respectfully commissions the Court of Pennsylvania, or such subordinate officer as it may designate, to issue with due diligence a subpoena *duces tecum* and *ad testificandum*, or other similar documents in the form prescribed by applicable provisions of the laws and the Court Rules of the Commonwealth of Pennsylvania, and to render such other assistance as may be required to compel [REDACTED] to appear for a deposition

and/or produce documents relevant to this matter or likely to lead to the discovery of admissible evidence, at a location to be agreed upon at a later date.

IN WITNESS WHEREOF, the undersigned Judge of the Superior Court of the State of New Jersey has set his hand on this 1st day of April, 2021.



JOSEPH L. MARCZYK, P.J.Cv.

210400808-Banks Vs Caesars Atlantic City Hotel And Casino



21040080800005



Filed and Accepted by the  
Office of the Clerk of the Court  
April 19, 2021 pm

PHILADELPHIA COURT OF COMMON PLEAS  
TRIAL DIVISION

MELIK BANKS,  
1017 Holmes Street  
Raleigh, North Carolina 27601

Petitioner/Plaintiff, : April Term, 2021

v.

No. 0808

CAESARS ATLANTIC CITY HOTEL AND CASINO; ABC CORPORATIONS 1-20; and JOHN/JANE DOES 1-20 individuals, 2100 Pacific Avenue Atlantic City, New Jersey 08401

Defendants. :

ORDER

AND NOW, this 19 day of APRIL, 2021, upon consideration of the annexed Petition for Issuance of Subpoena to Take Depositions and upon Motion of counsel for the Petitioner, it is hereby ORDERED that the Prothonotary of Philadelphia County issue a subpoena directed to the person named below, directing his attendance at a deposition to be conducted under the New Jersey Rules of Court and to be held virtually, by way of Zoom video conference or similar platform, at the time and date set forth below:

Name: \_\_\_\_\_ – May 13, 2021 at 10:00 a.m.

Address: \_\_\_\_\_, Philadelphia, PA 19145

BY THE COURT:

MOTION SUBMITTED

APR 19 2021

UNCONTESTED

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF PHILADELPHIA

In the matter of:

Court of Common Pleas

BANKS VS CAESARS ATLANTIC CITY HOTEL AND CASINO

April Term, Yr. 21

No. 00808

## Subpoena

To: \_\_\_\_\_ Phila. PA 19145

(Name of Witness)

(Nombre del Testigo)

1. YOU ARE ORDERED BY THE COURT TO COME TO (*El tribunal le ordena que venga a*)  
a Zoom video conference deposition, AT PHILADELPHIA, PENNSYLVANIA ON (*En Filadelfia*  
*Pensilvania el*) May 13, 2021, AT (*a las*) 10:00 O'CLOCK A.M., TO  
TESTIFY ON BEHALF OF (*para atestiguar a favor de*) BANKS MELIK IN THE  
ABOVE CASE, AND TO REMAIN UNTIL EXCUSED (*en el caso arriba mencionado y permanecer hasta que le autoricen irse*).
2. AND BRING WITH YOU THE FOLLOWING (*Y traer con usted lo siguiente*):

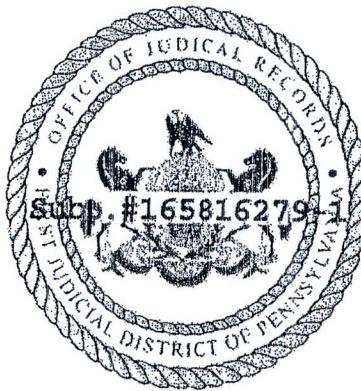
N/A

### Notice

If you fail to attend or to produce the documents or things required by the subpoena, you may be subject to the sanctions authorized by Rule 234.5 of the Pennsylvania Rules of Civil Procedure, including but not limited to costs, attorney fees and imprisonment.

### Aviso

Si usted falla en comparecer o producir los documentos o cosas requeridas por esta cita, usted estara sujeto a las sanciones autorizadas por la regla 234.5 de las reglas de procedimiento civil de Pensilvania incluyendo pero no limitado a los costos, remuneración de abogados y encarcelamiento.



INQUIRIES CONCERNING THIS SUBPOENA SHOULD BE ADDRESSED TO (*Las preguntas que tenga acerca de esta Citacion deben ser dirigidas a*):

ISSUED BY:

Louis Charles Shapiro, Esq. 82242

(Attorney)

(Abogado/Abogada)

Address (Direccion):

1063 E. Landis Avenue  
Vineland, NJ 08360

Telephone No. (No. de Telefono):

856 691-6800

Attorney ID # (Abogado ID#):

BY THE COURT (*Por El Tribunal*):

Eric Feder

Deputy Court Administrator (*Administrador del Tribunal Adjunto*)

Director, Office of Judicial Records (*Director de la Oficina de Registros Judiciales*)

PRO

(Clerk)

(Escribano)

You may contact the Office of Judicial Records to verify that this subpoena was issued by the Philadelphia County Court of Common Pleas.



COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF PHILADELPHIA

In the matter of:

Court of Common Pleas

April Term, Yr. 21

No. 00808

BANKS VS CAESARS ATLANTIC CITY HOTEL AND CASINO

## Return of Service

On the 10 day of MAY, Yr. 2021, I, José A. Burgos, served with the foregoing subpoena by (described method of service):

Spoke with Resident who stated [REDACTED]  
[REDACTED] Moved out and did not leave  
a forwarding address

I verify that the statements in this return of service are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.

5/19/21

Date

A handwritten signature in black ink, appearing to read "José A. Burgos".

Signature

Name of Witness

Name of person Served

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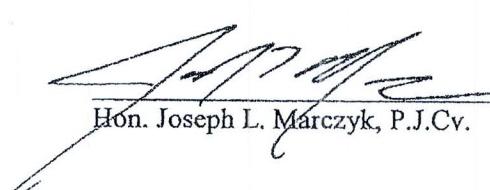
MELIK BANKS,	:	SUPERIOR COURT OF NEW JERSEY
Plaintiff,	:	ATLANTIC COUNTY
v.	:	LAW DIVISION
CAESARS ATLANTIC CITY HOTEL	:	DOCKET NO. ATL-L-01096-18
AND CASINO; ABC CORPORATIONS	:	CIVIL ACTION
1-20; and JOHN/JANE DOES 1-20,	:	
individuals,	:	
Defendants.	:	

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**CONSENT PROTECTIVE ORDER**

Upon the stipulation and consent of Plaintiff Melik Banks and Defendant Boardwalk Regency LLC d/b/a Caesars Atlantic City (incorrectly identified in the caption as Caesars Atlantic City Hotel & Casino) ("Caesars or "Defendant"), and in light of this Court's Order of July 9, 2021 requiring Defendant to produce the date of birth and Social Security Number of a non-party subject to a protective order, and with good cause shown for the issuance of this Order pursuant to Rule 4:10-3, IT IS on this 23 day of July, 2021, hereby ORDERED:

1. Plaintiff's counsel shall maintain the date of birth and Social Security Number of [REDACTED] ("personal identifiers") as **CONFIDENTIAL** and subject to this **Protective Order**. Plaintiff's counsel shall maintain the personal identifiers in a secure fashion at all times.
2. Plaintiff counsel's use of the personal identifiers is limited to this litigation only and for the limited purpose of locating Mr. [REDACTED] in order to serve a subpoena for his deposition. Plaintiff's counsel shall not use or disclose the personal identifiers for any other purpose or to any person(s) other than the investigator(s) he selects to locate Mr. [REDACTED] for the purpose of serving a subpoena in this action.
3. No party shall file any paper in this Court disclosing the personal identifiers.

  
Hon. Joseph L. Marczyk, P.J.Cv.